

SQUIRE, SANDERS & DEMPSEY L.L.P.

**SQUIRE
SANDERS**LEGAL
COUNSEL
WORLDWIDEOffice: +1.415.954.0200
Fax: +1.415.391.2493
Preferred Fax: +1.415.391.2493
If Problems: +1.415.954.0200

JAN 16 AM 11:32

January 16, 2002

PLEASE DELIVER THESE PAGES IMMEDIATELY

No. of Pages (including cover): 3

To: Examiner L. Thanh

Facsimile No: 703 746-4881

Company: USPTO - Group 3763

Confirmation No: 703 305-0038

From: David A. Levine, Esq.

Direct Dial No: +1.415.954-0235

E-mail: dlevine@ssd.com

Fax No: 415.393-9887

Re: Appln. No. 09/475,548 Docket No. 50623.103

Signature page for Response to Office Action mailed 7/27/01

Message:

CONFIDENTIALITY NOTICE:

The attached information is LEGALLY PRIVILEGED AND CONFIDENTIAL and is intended only for the use of the addressee named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, please be aware that any dissemination, distribution or duplication of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address above via the postal service. Thank you.

Sender No.: 07355

50623.103

Tracie Glowner

Job No:

Account No.

Return to Office



SQUIRE, SANDERS & DEMPSEY L.L.P.

One Maritime Plaza, Suite 300
San Francisco, California 94111-3492

Office: +1.415.954.0200

Fax: +1.415.393.9887

Direct Dial: +1.415.954.0235

Direct Dial: +1.415.954.0235
dlevine@ssd.com

January 16, 2002

VIA FACSIMILE

Examiner L. Thanh
U.S. Patent and Trademark Office

Re: Patent Application Serial No. 09/475,548
Title: Medical Assembly With Transducer For Local Delivery Of A Therapeutic
Substance And Method Of Using Same
Inventors: Jeffrey A. Steward et al.

Dear Examiner Thanh:

Thank you for calling to alert me to the unsigned status of the Response to Office Action ("Response") mailed 7/27/01. My signature on the Response was inadvertently omitted. Per our conversation earlier today, enclosed please find page 11 of the Response properly signed and dated with today's date. This enclosure ratifies the amendment already filed. Please enter the Response in accordance with 37 C.F.R. § 1.135(c) and MPEP 714.01(a).

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Levine".

David A. Levine
Agent for Applicants
Reg. No. 48,821

DAL/dal

Enclosure

SanFrancisco/58741.1
50623.00103

50623.103

area," as recited by Claim 17. Allowance of Claim 17 is, therefore, requested. Claim 18 depends from Claim 17 and is accordingly allowable for the same reason.

With respect to Claim 19, i.e., the next independent claim, Briskin et al. fail to teach "the electronic signal...**oscillated approximately equal to the mechanical resonance frequency of the transducer,**" as recited by Claim 19. Allowance of Claim 19 is, therefore, requested. Claim 20 depends from Claim 19 and is accordingly allowable for the same reason.

Claims 21-33 have been added and are supported by the original disclosure. No new matter has been added. Allowance of Claims 21-33 is respectfully requested.


CONCLUSION

Pending Claims 1, 3-5, 7, 11-13, and 17-33 are allowable and allowance of the application is hereby solicited. If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned agent at (415)954-0235.

Date: JANUARY 16, 2002

Respectfully submitted,

Squire, Sanders & Dempsey L.L.P.
One Maritime Plaza, Suite 300
San Francisco, CA 94111
Telephone (415) 954-0200
Facsimile (415) 391-2493


David A. Levine
Agent for Applicants
Reg. No. 48,821

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Attn.: Box Issue Fee, Washington, D.C. 20231, on December 20, 2001.

Date: _____ By: _____
Tracie Glowner

SanFrancisco/47407.1